

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11 Case No.**
 :
LEHMAN BROTHERS HOLDINGS INC., et al., : **08-13555 (JMP)**
 :
Debtors. : **(Jointly Administered)**
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**ORDER DENYING MOTION OF UNCLAIMED
PROPERTY RECOVERY SERVICE INC. WITH RESPECT TO
LEHMAN BROTHERS HOLDINGS INC. AND ITS AFFILIATED DEBTORS**

Upon the motion, dated April 13, 2009 [Docket Nos. 3345, 3346] (the “Motion”), of Unclaimed Property Recovery Service, Inc. (“UPRS”), for an order (i) compelling payment of certain unclaimed funds held by the New York State Comptroller Office of Unclaimed Funds; (ii) declaring that the automatic stay in the Lehman Brothers Holdings Inc. (“LBHI”) cases under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) extant pursuant to section 362 of the Bankruptcy Code does not apply to UPRS’ request, or, alternatively, granting relief from the automatic stay; and (iii) granting additional related relief, all as more fully described in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the Standing Order M-61 Referring to Bankruptcy Judges for the Southern District of New York Any and All Proceedings Under Title 11, dated July 10, 1984 (Ward, Acting C.J.); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and upon the objections of, inter alia, (i) LBHI and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors-in-possession (collectively, the “Chapter 11 Debtors”), dated May 29, 2009 [Docket No. 3701] and (ii) James W. Giddens (the “Trustee”), as Trustee of the SIPA Liquidation of Lehman Brothers Inc. (“LBI”), dated May 29, 2009 [Docket No. 3699]; and a hearing (the “Hearing”) having been held to consider the relief requested in the Motion on June

3, 2009; and upon all of the proceedings had before the Court; and for all the reasons set forth by the Court on the record at the Hearing; and after due deliberation and sufficient cause appearing therefore, it is

ORDERED that the Motion is hereby denied as to the Chapter 11 Debtors with respect to any relief sought therein including, without limitation, the request for a declaration that the automatic stay is inapplicable or for a modification of the automatic stay, as it relates to the Chapter 11 Debtors and property of the Chapter 11 Debtors' estates or their non-debtor affiliates; provided, however, that said denial is without prejudice to (a) any relief that UPRS is seeking with respect to LBI and (b) any of the Trustee's objections thereto.

Dated: New York, New York
June 25, 2009

s/ James M. Peck
UNITED STATES BANKRUPTCY JUDGE